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Substantively Consolidated SIPA Liquidation of
Bernard L. Madoff Investment Securities LLC
and the chapter 7 estate of Bernard L. Madoff*

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

Adv. Pro. No. 08-01789 (SMB)

SIPA LIQUIDATION

(Substantively Consolidated)

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the Liquidation
of Bernard L. Madoff Investment Securities LLC,

Plaintiff,

v.

MAGNIFY INC.; PREMERO INVESTMENTS
LTD.; STRAND INTERNATIONAL
INVESTMENTS LTD.; THE YESHAYA
HOROWITZ ASSOCIATION; YAIR GREEN; and
EXPRESS ENTERPRISES INC.,

Defendants.

Adv. Pro. No. 10-05279 (SMB)

**STIPULATION AND ORDER FOR VOLUNTARY DISMISSAL
OF ADVERSARY PROCEEDING WITH PREJUDICE**

Irving H. Picard, as trustee (the “Trustee”) for the liquidation of the business of Bernard L. Madoff Investment Securities LLC under the Securities Investor Protection Act, 15 U.S.C. §§ 78aaa, *et seq.*, and the substantively consolidated estate of Bernard L. Madoff, individually, and the defendants, Magnify Inc., Premero Investments LTD., Strand International Investments LTD., the Yeshaya Horowitz Association, Express Enterprises Inc., and Yair Green, by and through their respective counsel (collectively, the “Parties”), hereby stipulate and agree to the following:

1. On December 6, 2010, the Trustee commenced the above captioned adversary proceeding against the Defendants by filing a complaint, as subsequently amended on September 29, 2017 [Dkt. No. 143].

2. On September 4, 2020, the Trustee filed a motion for entry of an order pursuant to Section 105(a) of the Bankruptcy Code and Rules 2002 and 9019 of the Federal Rules of Bankruptcy Procedure to approve a settlement agreement (the “Settlement Agreement”) between the Trustee and the Defendants [Dkt. No. 193].

3. On September 28, 2020, the Court entered an Order approving the Settlement Agreement [Dkt. No. 197].

4. In accordance with Rule 7041 of the Federal Rules of Bankruptcy Procedure, the Parties hereby stipulate to dismissal of this adversary proceeding with prejudice pursuant to the terms of the Settlement Agreement.

5. The provisions of this Stipulation shall be binding upon and shall inure to the benefit of the Parties and their respective successors and assigns and upon all creditors and parties of interest.

6. This Stipulation may be signed by the Parties in any number of counterparts, each of which when so signed shall be an original, but all of which shall together constitute one and the same instrument. A signed facsimile, photostatic or electronic copy of this Stipulation shall be deemed an original.

7. The Bankruptcy Court shall retain jurisdiction over this Stipulation.

Dated: October 21, 2020

BAKER & HOSTETLER LLP

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Attorneys for Defendants

SO ORDERED:

Dated: **October 23, 2020**
New York, New York

/s/ STUART M. BERNSTEIN
HONORABLE STUART M. BERNSTEIN
UNITED STATES BANKRUPTCY JUDGE